



Dr. Wang

MAIL STOP - PCT
Docket No.: 27549U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: KAÜTZ
Appl. No.: 10/589,082 ✓
Appl. Filing Date: August 11, 2006
Intl. Appl. No.: PCT/EP2005/050708
Intl. Appl. Filing Date: February 17, 2005
For: **NOVEL GUANIDINYL-SUBSTITUTED HYDROXY-6-PHENYLPHENANTHRIDINES
AS EFFECTIVE PHOSPHODIESTERASE (PDE) 4 INHIBITORS**

Art Unit: UNKNOWN
Examiner: UNKNOWN
Confirmation No.: UNKNOWN

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

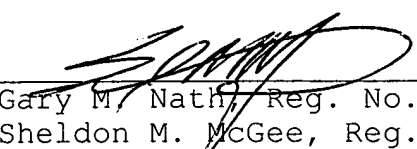
Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

1. Supplemental Information Disclosure Statement;
2. Supplemental PTO Form-1449 with 26 references cited; and
3. Copies of 22 of the 26 cited references.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,
THE NATH LAW GROUP PLLC

February 9, 2007


Gary M. Nath, Reg. No. 26,965
Sheldon M. McGee, Reg. No. 50,454
Customer No. 34375

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A Supplemental Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars: [NOTE: One only of items a, b, c, and d must be checked.]

- a. ☐ The enclosed supplemental statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.
- b. ☐ The enclosed supplemental statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.
- The enclosed supplemental statement is accompanied by ☐ [check one]:
- ☐ i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or
- ☐ ii. a check in the amount required by 37 C.F.R. 1.17(p).

- c. ☐ The enclosed supplemental statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.
- ☐ Certification report(e) below; and
- ☐ a check in the amount as required by 1.17(p).
- d. ☐ The enclosed supplemental statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.
- e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]
- ☐ I hereby certify that each item of information contained in the enclosed Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,
- or
- ☐ I hereby certify that no item of information in the enclosed Supplemental Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Supplemental Information Disclosure Statement.
- or
- ☐ Appropriate certification is attached.
- f. [XXX] If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

g. [XXX] Copies of the documents are attached herewith with a completed Supplemental PTO Form-1449.

or

[] Copies of the documents are not attached, with a completed Supplemental PTO Form-1449 as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

and / or

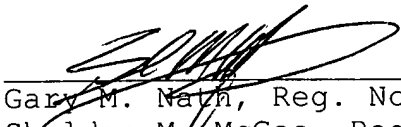
[XXX] Copies of US Patents/Publications not attached, with a completed Supplemental PTO Form-1449 as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Supplemental PTO Form-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Supplemental PTO Form-1449, and return a copy of the initialed Supplemental PTO Form-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

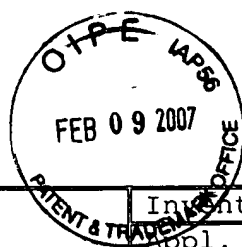
If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,
THE NATH LAW GROUP PLLC

February 8, 2007


Gary M. Nath, Reg. No. 26,965
Sheldon M. McGee, Reg. No. 50,454
Customer No. 34375

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**SUPPLEMENTAL
PTO FORM-1449****INFORMATION DISCLOSURE
CITATION**

Inventor: KAUTZ

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10/589,082

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Examiner: UNKNOWN

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August 11, 2006

Confirm. No.: UNKNOWN

U.S. PATENT DOCUMENTS

Exam. Initial		Document No.	Issue/Public. Date	Inventor	Filed Date
	A1	6,121,279	19 Sep 2000	Gutterer	18 Jul 1998
	A2	6,127,378	03 Oct 2000	Gutterer	24 Mar 1997
	A3	6,191,138	20 Feb 2001	Gutterer	30 Jan 1997
	A4	6,410,551	25 Jun 2002	Gutterer	18 Jul 1998
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FOREIGN PATENT DOCUMENTS

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	A6	97/35854 A1	02 Oct 1997	WO	abstract
	A7	00/42034 A1	20 Jul 2000	WO	n/a
	A8	02/06238 A1	24 Jan 2002	WO	n/a
	A9	2005/090311 A1	29 Sep 2005	WO	n/a
	A10	2005/085225 A1	15 Sep 2005	WO	n/a
	A11	2005/084104 A2	15 Sep 2005	WO	n/a
	A12	2005/085203 A1	15 Sep 2005	WO	n/a
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	A17	99/05111 A1	04 Feb 1999	WO	n/a
	A18	00/42018 A1	20 Jul 2000	WO	n/a
	A19	97/28131 A1	07 Aug 1997	WO	abstract
	A20	99/05113 A1	04 Feb 1999	WO	n/a
	A21	00/42019 A1	20 Jul 2000	WO	n/a
	A22	02/06270 A1	24 Jan 2002	WO	n/a
	A23	00/42017 A1	20 Jul 2000	WO	n/a
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Exam. Initial	(Including Author, Title, Date, Pertinent Pages, etc.)
A25	"Souness, J.E., "Immunosuppressive and anti-inflammatory effects of cyclic AMP phosphodiesterase (PDE) type 4 inhibitors". <u>Immunopharmacology</u> , Vol. 47, pg. 127-162, 2000".
A26	"Dyke, H.J., "Update on the therapeutic potential of PDE4 inhibitors". <u>Expert Opinion on Investigational Drugs</u> , Vol. 11, No. 1, pg. 1-13, 2002".
A27	"Montana, J., "Chapter 5. Phosphodiesterase 4 Inhibitors". <u>Annual Reports Med Chem</u> , Vol. 36, pg. 47-56, 2001.
A28	"Schmidt, B.J., "The phosphodiesterase 4 inhibitor roflumilast is effective in the treatment of allergic rhinitis". <u>Allergy Clin Immunol</u> , Vol. 108, pg. 530-536, 2001".
A29	

Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP'609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.